- Because PCS and cellular are expected to compete with LECs and IECs, the FCC should not forbear from applying the consumer protections contained in Sections 223, 225, 226, 227, and 228. (8)

VII. INTERCONNECTION RIGHTS OF PCS AND CMS PROVIDERS (STATE AND FEDERAL)

- Federal preemption of state regulation of the right to intrastate interconnection and the right to specify the type of interconnection for CMS providers is unwarranted and premature. First, the FCC has specified no specific state regulation that negates interstate interconnection rights or arrangements. Second, there is no basis for concluding that all state interconnection arrangements applicable to intrastate mobile service providers negate interstate arrangements or conflict with federal goals; states may prescribe interconnection arrangements that enhance federal requirements, and should be allowed to do so. (9-10)

- Section 332(c)(3) preempts only state regulation of rates charged by CMS providers. Congress expressed no intent to preempt states from continuing to set interconnection rates designed to recoup switching and other costs of using facilities of the landline PSN or facilities of the mobile service provider. (10-11)

- Given the infancy of PCS and the expectation that PCS will compete with local exchange wireline service in local markets, it is reasonable for states to regulate intrastate interconnection arrangements between PCS providers and LECs to ensure a level playing field and prevent anticompetitive behavior by LECs. (11)

- Because PCS and cellular will compete with LECs, PCS and cellular providers should be subject to equal access obligations identical to those imposed on LECs to ensure a level playing field. (11)

CELLULAR TELECOMMUNICATIONS INDUSTRY ASSOCIATION

I. IDENTITY AND INTEREST OF THE COMMENTER

- Trade association of cellular carriers.

II. DEFINITIONS

B. Commercial Mobile Service

- The FCC must define CMS broadly to comply with Congressional intent to achieve regulatory parity. (2-5)
- "For profit" should be broadly defined and center on whether the service as a whole is for-profit, not just the "interconnected" part, and a licensee's status as a non-profit company should be irrelevant. (7-8)
- "Interconnected" should be read broadly to mean "service that allows a subscriber to send or receive messages over the public switched network." (8-9)
- "Effectively available to . . . the public" should not consider the licensee's intent to serve a narrow class or users or be concerned with system capacity or geographic area, since these do not make a service "unavailable to the public." (10-11)

C. Private Mobile Service

- The private mobile services definition is exclusory and includes only those services that are not CMS or the functional equivalents of CMS, and is necessarily narrow. (13-14, 25)
- "Functional equivalence" should be measured by customer perception of the substitutability of services. (12-13)

III. PROPOSED REGULATORY TREATMENT OF EXISTING SERVICES

- CMS should include all common carrier services, including cellular; all paging services, including store-and-forward operations; and SMR and ESMR systems. (15-16, 18-19)
- Classifying common carrier, paging, ESMR, SMR, and PCS as CMS is consistent with the functional equivalency

test, since they all serve a broad mobile communications market. (19-23)

- All CMS providers should be allowed to provide dispatch. (23-24)

V. **REGULATORY CLASSIFICATION OF PCS**

- PCS should be classified as CMS. (17-18)

VI. **APPLICATION OF TITLE II TO COMMERCIAL MOBILE SERVICES**

- Due to the extensive record compiled on the competitive nature of the mobile marketplace, the cost of compliance, and the lack of ability to exercise market power, CMS carriers should be subject to maximal forbearance, including elimination of tariffing, Section 210 (franks & passes); 212 (interlocking directorates); 213 (valuation of property); 215 (transactions); 218 (management inquiries); 219 (reports); 220 (accounts and records); and 221 (special telco provisions). (25-35)

- Decisions on mandating interconnection with CMS facilities and equal access requirements for CMS should be guided by the principle that such requirements are only necessary in those markets where a firm possesses market power, a condition that does not exist. (41-42)

VII. **INTERCONNECTION RIGHTS OF PCS AND CMS PROVIDERS (STATE AND FEDERAL)**

- The FCC already had authority to preempt state regulation of a PCS or CMS provider's physical interconnection, and, by virtue of the Budget Act preemption of state rate regulation, has the authority to preempt interconnection rates. (40-41)

VIII. **PREEMPTION OF STATE REGULATION OF CMS PROVIDERS**

- The states should bear the burden of proof for petitions to regulate or continue regulations. (37-38)

CELPAGE, INC., NETWORK USA, DENTON ENTERPRISES, COPELAND COMMUNICATIONS & ELECTRONICS, INC. AND NATIONWIDE PAGING

I. IDENTITY AND INTEREST OF THE COMMENTER

- Commenters are large and small mobile service providers who provide RCC and PCP services, SMR, and business radio. (1)

VII. INTERCONNECTION RIGHTS OF PCS AND CMS PROVIDERS (STATE AND FEDERAL)

- Supports Commission's conclusion that it has the authority to require common carriers to provide interconnection to both CMS providers and private mobile service providers. (4)

- PCPs and SMRSs are entitled to interconnection on equal terms with RCCs. CMS and private mobile service providers are entitled to interconnection under the same terms and conditions, and the FCC should declare that to not do so is illegal. (5)

CENCALL COMMUNICATIONS CORPORATION

I. IDENTITY AND INTEREST OF THE COMMENTER

- CenCall is an operator and manager of Specialized Mobile Radio Services, and intends to provide Enhanced Specialized Mobile Radio Services. CenCall's services have traditionally been considered private mobile services. (2)

- CenCall concurs with comments submitted by AMTA, but emphasizes certain points. (3)

VI. APPLICATION OF TITLE II TO COMMERCIAL MOBILE SERVICES

- Commission has the authority to establish different regulatory classes and to provide different regulatory requirements for providers within a class. (4)

- Commission should forbear from regulating Enhanced Specialized Mobile Radio Service Providers if they are determined to be CMS providers. (7)

CENTURY CELLUNET, INC.

I. IDENTITY AND INTEREST OF THE COMMENTER

- Local exchange carrier and cellular carrier.

III. PROPOSED REGULATORY TREATMENT OF EXISTING SERVICES

- All CMS that compete in the same product markets should be regulated consistently. (3)
- Cellular, PCS, and ESMRs are functionally equivalent and should be regulated similarly. If they are not, some services will be at a competitive disadvantage and overall competition will be limited, hurting consumers. (4)
- Cellular carriers should be given the same flexibility to provide commercial and private services in the same spectrum as proposed for PCS. In addition, if PCS providers are permitted to provide dispatch services, cellular carriers should be given similar rights. (5)

VI. APPLICATION OF TITLE II TO CMS

- The public would be best served if CMS licensees are exempt from Title II requirements to the maximum extent permitted. (5)
- Title II policies, including tariffing and related regulations, were developed to protect consumers from a monopolistic market. Since there is now competition, these regulations are not necessary because market forces will discipline service providers. (5)

VII. INTERCONNECTION RIGHTS OF PCS AND CMS PROVIDERS (STATE AND FEDERAL)

- CMS providers should have the same interconnection rights as cellular licensees currently have. There is no basis for different regulation for different services. (7)
- Interconnection to other mobile service providers and equal access obligations are also unnecessary. However, if they are required, they should be applied to all service providers. (7-8)

VIII. PREEMPTION OF STATE REGULATION OF CMS PROVIDERS

- State regulation should be minimized when there is competition in the mobile services market. State regulation is only necessary to ensure a competitive market and prevent consumer abuse in a particular area and, if it is necessary, it should be narrowly tailored to meet such ends. (8)

COMCAST CORPORATION

I. IDENTITY AND INTEREST OF THE COMMENTER

- Diversified telecommunications company holding interests in cable television, wireless communications (cellular, ESMR, PCS) and competitive access providers. (1)

IV. REGULATORY PARITY

- Regulatory parity does not mean identical treatment, and should recognize the differences in the methods and history of licensing, relative size and contiguity of market, and availability of unencumbered spectrum for various services. (4)

VI. APPLICATION OF TITLE II TO COMMERCIAL MOBILE SERVICES

- The FCC should not impose tariff or rate regulation on CMS providers, other than LEC-affiliated CMS carriers who can leverage the local exchange bottleneck, since CMS is competitive and Section 208 offers appropriate redress. (12-15)

- The FCC should not impose equal access on CMS providers, other than LEC-affiliated CMS carriers, since: non-LEC CMS carriers have no bottleneck leverage over essential facilities; such regulations would frustrate competition and prevent the development of new services; and, nonuniform market boundaries would cause significant difficulties in implementing equal access. (12-15)

VII. INTERCONNECTION RIGHTS OF PCS AND CMS PROVIDERS (STATE AND FEDERAL)

- A strong policy mandating cost-based, unbundled PSTN interconnection for CMS will promote competition. (5)

- The history of paging and cellular (delays, lack of access or discriminatory access) shows that existing policies, even if extended to PCS, will be insufficient and will hamper the growth of competition to the local loop. (6)

- Absent strong, cost-based interconnection policies, the only protection is nondiscrimination, which only ensures that other carriers obtain what the LEC affiliate has, which offers the potential for anticompetitive behavior. (6-8)

- The FCC should adopt--and enforce--the following interconnection principles for LEC PSTN interconnection: (1) interconnection should be unbundled and cost-based; (2) CMS should be provided through a separate subsidiary with effective nondiscrimination requirements; (3) LECs should provide uniform advance notification of network changes and solicit participation in decisions that affect interconnection and functionality; (4) there should be no restrictions on resale or reuse of LEC services; and (5) LEC affiliates should be required to charge end users no less than the full cost of the basic service components for such services to non-affiliates. (9-10)

- In the interests of promoting uniformity and national CMS regulations, LECs should be required to submit to the FCC information including intrastate interconnection tariffs as well as interconnection and billing and collection contracts. (11-12)

I. **IDENTITY AND INTEREST OF THE COMMENTER**

- New PCS entrant.

V. **REGULATORY CLASSIFICATION OF PCS**

- PCS should not be limited to CMS status and should be allowed to provide both public and private services. (3)

VI. **APPLICATION OF TITLE II TO COMMERCIAL MOBILE SERVICES**

- Supports equal access for PCS providers. (2)
- Does not support rate regulation of PCS providers, although the FCC should monitor to ensure the bundling of LEC/IXC services with PCS or cellular with PCS does not occur. (3)

VII. **INTERCONNECTION RIGHTS OF PCS AND CMS PROVIDERS (STATE AND FEDERAL)**

- PCS has the ability to provide effective competition with the local loop if the FCC does not allow LECs to charge high access rates, grants PCS carriers co-carrier status, and requires rationalization of charges between PCS providers and LECs in a settlement process (as done with RBOCs and independent LECs). (2)

COX ENTERPRISES

I. IDENTITY AND INTEREST OF THE COMMENTER

- Cable television provider, cellular carrier, and developer of PCS voice and data services.
- The FCC must examine interconection issues so that PCS does not become marginalized as a substitute for LEC services like cellular. (1)

VI. APPLICATION OF TITLE II TO COMMERCIAL MOBILE SERVICES

- Argues that additional safeguards are warranted for LEC provision of CMS, since PCS may be the first opportunity for widespread competition with LECs, including effective cost accounting, separate subsidiary, cross-subsidy, and non-discrimination requirements. (6-8)
- A less burdensome alternative for the FCC would be to revoke LEC CMS authorizations for any failures to comply with interconnection regulations. (7)
- Tariffing of CMS is unnecessary in this competitive market and any problems can be addressed through complaint procedures. (8)
- Equal access obligations are unnecessary for CMS providers, since they have no bottleneck, and would be very complex to implement because CMSs do not have uniform calling areas. (8-9)

VII. INTERCONNECTION RIGHTS OF PCS AND CMS PROVIDERS (STATE AND FEDERAL)

- Cellular carriers have been unable to achieve the co-carrier status required by the FCC, so extending these same rights to all CMS providers would not be effective. (3)
- Requiring LECs to make interconnection available to PCS providers on terms no less favorable than to other customers or carriers is also less than is necessary because PCS providers are dependent upon a LEC's willingness to develop and provide new services and functions to its competitiors. (3)
- Fully unbundled LEC networks are necessary, including databases and other network capabilities. In addition, there should be no restriction on resale or reuse of LEC services provided to CMS providers; uniform advance notification of changes

to LEC networks affecting interconnection, technical changes, and the availability of new service functions; and non-discriminatory access to LEC network databases. The price of each unbundled element must reflect the cost of the function. (4)

- The FCC should require LECs to submit interconnection tariffs and maintain informational filings at the FCC regarding intrastate tariffs and non-tariffed ancillary services (e.g., billing and collection). (5)

VIII. PREEMPTION OF STATE REGULATION OF CMS PROVIDERS

- Concurs that Congress intended federal preemption of state entry and rate regulation. (5)

DISTRICT OF COLUMBIA PUBLIC SERVICE COMMISSION

I. IDENTITY AND INTEREST OF THE COMMENTER

- Public utility commission for the District of Columbia.

II. DEFINITIONS

B. Commercial Mobile Service

- "For profit" should be interpreted broadly to include all for profit mobile services, regardless of whether or not the service is interconnected or whether part of the capacity is used for internal uses, to avoid the use of "creative" accounting. This would exclude true sharing arrangements, but managers of shared arrangements should be CMS. (4)

- "Interconnected" should be defined with reference to whether a customer of the licensee may send messages over the public switched network, whether via PBX interconnection, a switchboard operator, a computer, or a store-and-forward mechanism, but should not include use of the switched public network purely for internal control functions. (5)

- "Available to the public. . ." should include any service with is held out to the public or to groups of users by means of a Standard Metropolitan Statistical Area or similar wide area service or by frequency or channel reuse. (6)

- A service is not "available to the public. . ." if it does not make service available through a SMSA or similar wide area and does not employ frequency or channel reuse or its equivalent, and therefore should not be classified as CMS. (6)

C. Private Mobile Service

- A service is "functionally equivalent" to a CMS, and should be regulated as CMS, if customers perceive the service to be a "like service" within the meaning of Section 202 of the Act. (7)

III. PROPOSED REGULATORY TREATMENT OF EXISTING SERVICES

- Private non-commercial systems may be treated as private since they are for internal use only. (8)

- Satellite licensees may be treated as private, as per Section 332(c)(5). (8)

- Wide area SMRS and common carrier mobile services should be classified as CMS, unless they do not provide wide area service or employ frequency reuse. (8)

- PCPs and RCCs should be regulated as CMS. (8)

V. **REGULATORY CLASSIFICATION OF PCS**

- Opposes proposal to allow self-designation by PCS licensees or allowing mixed-use licensees, since it would be impossible to tell if a profit was being derived from the "private" part of the business due to cost shifting. (9)

VII. **INTERCONNECTION RIGHTS OF PCS AND CMS PROVIDERS (STATE AND FEDERAL)**

- Supports the FCC proposal to preempt state regulation of interconnection, but not interconnection rates, since revenue from intrastate services, including revenue from interconnection of mobile services, is important for state telephone subsidies. (10)

VIII. **PREEMPTION OF STATE REGULATION OF CMS PROVIDERS**

- Proposes that a state may file a petition at any time showing (1) that 15% of basic service subscribers in any telephone exchange area do not have access to basic service from any telephone company other than a CMS; (2) that the rates for basic services offered by the CMS are higher than the rates of the landline carrier; or (3) that the CMS provider has market power in a relevant market. (12)

- No petition to deregulate should be granted for a period of three years after a state petition is granted. (13)

E.F. JOHNSON COMPANY

I. IDENTITY AND INTEREST OF THE COMMENTER

- Leading designer and manufacturer of radio communications and specialty communications products, and one of the largest providers of land mobile radio systems in the United States, especially SMR services. (2)

II. DEFINITIONS

B. Commercial Mobile Service

- The proposed definition of CMS would include not only cellular and PCS, but also SMRs. This will have two negative effects: 1) SMRs will be subjected to the same regulatory burdens as common carriers even though SMRs have less spectrum and thus limited channel capacity; and 2) CMS providers would be allowed to provide dispatch services. (4)

- In order to regulate truly similar services similarly, the definition of CMS should incorporate the concept of frequency reuse which is fundamental to cellular service. All entities employing frequency reuse should be regulated similarly. (5)

- Shared systems and non-licensee managers should not be regulated as CMS providers. (6)

- A service should be considered interconnected if the end user has the ability to control access to the public switched network. (6-7)

- Services should be considered available to the public if they are offered without distinction, so specialized services offered to different user groups would not be considered available to the public. (7)

- System capacity is relevant to determining if a service is available to the public, but the relevant criteria should be system configuration, not the number of channels. Frequency reuse would determine whether a system has the capacity to serve the general public. (7)

C. **Private Mobile Service**

- Entities which fall within the literal definition of CMS but are not functional equivalents should be considered private mobile services. (7)

- The frequency reuse criterion will determine whether a service is functionally equivalent to a CMS. (8)

III. **PROPOSED REGULATORY TREATMENT OF EXISTING SERVICES**

- Wide area SMR systems employing frequency reuse should be characterized as CMS. Those that do not employ frequency reuse should be regulated as private mobile service providers. (9)

- Commercial and private mobile services can co-exist on common frequencies if the Commission established compatible co-channel protection criteria between the services. (9)

- Agrees with Commission that existing common carrier services that are within the definition of CMS should be regulated as CMS. Any carrier that does not meet the definition should be regulated as private. (10)

- Supports ban on cellular carriers providing dispatch service. Any SMR systems which are regulated as CMS providers should also be barred from providing dispatch services. After the three year "grandfathering" period, existing private radio systems that have been reclassified as CMS should also be subject to the prohibition on dispatch services. Otherwise, existing dispatch providers will be forced out of business and the rates for dispatch will increase. (5,11)

IV. **REGULATORY PARITY**

- Recommends similar treatment for truly similar services. (5)

GENERAL COMMUNICATION, INC.

I. **IDENTITY AND INTEREST OF THE COMMENTER**

- Not identified

II. **DEFINITIONS**

B. **Commercial Mobile Service**

- GCI supports a broad definition of CMS. (1)
- If provider receives compensation, that provider intends to be a commercial provider. (1)
- Service to substantial portion of public should be construed broadly. (1)

C. **Private Mobile Service**

- GCI supports a limited definition of PMS (2)

III. **PROPOSED REGULATORY TREATMENT OF EXISTING SERVICES**

- Providers should not be allowed to allocate a portion of their spectrum as private, nor should they be allowed to negotiate individualized prices and call their services private. (2)

VI. **APPLICATION OF TITLE II TO COMMERCIAL MOBILE SERVICES**

- Dominant carriers and their affiliates should not be exempt from Title II requirements due to their market power. (3)
- Nondominant carriers do not have market power and should be exempt from Title II regulations including Sections 203-205, 210-215, 218-219, and 221. (3)
- All providers should be required to comply with sections 206-207, 209, 223, and 225-228. (4)

VII. **INTERCONNECTION RIGHTS OF PCS AND CMS PROVIDERS (STATE AND FEDERAL)**

- GCI supports equal access for all CMS providers. (2)
- All CMS providers should be required to interconnect with each other on the same terms and conditions as all other commercial service providers. (4)

- Commission should classify PCS providers as co-carriers so they receive benefits and obligations of such classification. This should include exchange access reciprocity. (4)

VIII. PREEMPTION OF STATE REGULATION OF CMS PROVIDERS

- States should not be allowed to diverge from federal interconnection policy, but should be allowed to request authority to regulate interconnection rates. State rate regulation should be allowed if it would not harm federal policy. (5)

GEOTEK INDUSTRIES, INC.

I. IDENTITY AND INTEREST OF THE COMMENTER

- Provider of SMR service.

II. DEFINITIONS

B. Commercial Mobile Service

- Only when the interconnected traffic of a given service exceeds 20% of the overall traffic should the service be viewed as interconnected. (8)

- Not all interconnection is equivalent. Indirectly connected services (e.g. through a PBX using business lines) should not be deemed an interconnected service under the Act. (8)

- Regulatory classification should not be based upon the geographical coverage area. (8-9)

C. Private Mobile Service

- The definition of private service should recognize that customized services are, by definition, offered to small or specialized user groups and are not available to the public. (3)

- The functional equivalence test should be used to classify services as private mobile if they are not the functional equivalent of commercial mobile service even if they satisfy the strict definition of CMS. (5-6)

III. PROPOSED REGULATORY TREATMENT OF EXISTING SERVICES

- Prior to the expiration of the 3 year transition period, carriers can certify their choice of regulatory classification to the FCC with supporting documentation. (10)

- Would continue the prohibition against some commercial service providers (e.g. cellular) from offering dispatch service during the legislation's 3 year transition period. (4-5)

GTE SERVICE CORPORATION

I. IDENTITY AND INTEREST OF THE COMMENTER

- Provider of cellular, satellite and other mobile radio services, including Airfone™ and Railfone® services, and paging services through its domestic telephone companies.

II. DEFINITIONS

A. Commercial Mobile Services

- Mobile radio systems dedicated solely to internal corporate use should be classified as non-profit and thus not CMS. (4)
- A mobile service should be deemed for profit if the service as a whole is priced to earn a return for the licensee, even if the interconnected portion is offered on a non-profit basis. For profit resellers should also be classified as CMS if they meet the above criteria. (5)
- Supports FCC definition of interconnection and would find that a service is interconnected if the end user is afforded access directly or indirectly to the public switched network for the purpose of sending or receiving messages to or from points on the network. (6)
- Supports FCC definition of public switched network. (6)
- Supports FCC definition of effectively available to the public. Services offered only to small or specialized user groups of service areas and services offered only within limited environments should not be considered to be available to the public and thus not CMS. (6-7)

B. Private Mobile Service

- In defining private mobile services, the functionally equivalent element is to ensure that comparable services are regulated in an identical manner. Functional equivalency should be determined using the like services test, including customer perception. (8)

- ESMRs should be classified as CMS to avoid having a service substitutable for CMS being regulated differently. (8)

III. PROPOSED REGULATORY TREATMENT OF EXISTING SERVICES

- Services which the public views as substitutes should be in the same classification and subject to the same regulations or the market will be distorted and competition will be reduced. (10)

- If all mobile service providers have the same rights, flexibility to provide both commercial and private services in the same spectrum would serve the public interest. This would encourage the efficient use of scarce spectrum and development of new services. However, if only some services are given this flexibility, they will have a competitive advantage and overall competition will be diminished. (11-13)

- Consistent with this, all CMS providers should be allowed to offer dispatch, enhanced, and ancillary fixed services. (13)

VI. APPLICATION OF TITLE II TO COMMERCIAL MOBILE SERVICES

- Title II regulation (including tariffs and related regulations) is not necessary to protect consumers or the public interest because of the significant competition both between carriers of the same service and between different services regulates the market. (14)

- Enforcement of TOCSIA obligations is also unnecessary because the problems TOCSIA was created to solve do not exist in the mobile services context. (18)

- The Commission should find that all cellular providers are non-dominant because of the significant competition in that market which the. (19-20)

- Additional regulation should not be placed on wireline carriers or their wireless affiliates. (20)

VII. INTERCONNECTION RIGHTS OF PCS AND CMS PROVIDERS (STATE AND FEDERAL)

- Supports giving CMS providers same range of interconnection rights currently afforded to Part 22 licensees. Private mobile service providers

should have access to the interconnection necessary to the conduct of their businesses. (21)

- The FCC should defer considering whether CMS providers should be obligated to offer interconnection to other CMS providers until it is demonstrated that the market is not responding to customer requirements. (22)

- Since the CMS market is competitive, equal access obligations are not necessary and would be extremely difficult because of system designs and in some cases would be impossible. (22)

VIII. PREEMPTION OF STATE REGULATION OF CMS PROVIDERS

- Urges FCC to establish a strong presumption against state regulation where there are a number of CMS providers. (24)

- Any regulation allowed should be narrowly tailored to meet specific, identified abuses. (25)

- Because state regulation remains in effect during the pendency of a state petition, the FCC should establish procedures for resolving such petitions promptly. (25)

GRAND BROADCASTING CORPORATION

I. IDENTITY AND INTEREST OF THE COMMENTER

- Proponent of a new 900 MHz radio service, the Interactive Broadcast Radio Service ("IBRS").

II. DEFINITIONS

B. Commercial Mobile Service

- Store-and-forward systems, such as PCPs, RCCs, and IBRS systems, should not be deemed interconnected. (3-4)

VII. INTERCONNECTION RIGHTS OF PCS AND CMS PROVIDERS (STATE AND FEDERAL)

- Cellular carriers should be CMS and required to provide: (1) access and interface by IBRS licensees to existing cellular radio base station transmitters; (2) access to base station facilities, including antenna, receiver, transmitter, data and control signalling, processing equipment, power amplifiers and cell site controller (to the extent not practical to install separately for IBRS), back-up power equipment and other essential basic network control and management facilities that could be efficiently shared with IBRS licensees and/or would be inefficient to install separately; and (3) access to and shared use of the existing cellular radio system MTSO, including X.25 links to the LEC or IXC used for CDPD. (6-7)

IX. OTHER

- Proposes modification to its IBRS petition for rulemaking to allow use of existing cellular radio base station tower facilities for the broadcast of IBRS base transmissions, which would require only the addition and/or rechanneling of station receiving antenna equipment. (5-6)

- IXC-based EDI VAN operators should be classified as dominant, subject to ONA requirements, and required to provide interconnection, on an equal access basis, with public data network transmission/signalling facilities, switching facilities, and features including storage, acknowledgement of delivery, message ID, return of undeliverable messages, "reply requested" capability, X.400 message storage, MTS delivery of messages submitted to it to one or more recipient UAs, CCITT Message Handling System, P7 protocol, security, and X.500 directory. (8-10)

I. IDENTITY AND INTEREST OF THE COMMENTER

- Private law firm.

IX. OTHER

- Seeks clarification on the regulatory implications of the FCC's proposals for ancillary mobile services offered over the subcarriers of broadcast stations. (2)

ILLINOIS VALLEY CELLULAR RSA 2 PARTNERSHIPS

I. IDENTITY AND INTEREST OF THE COMMENTER

- Consists of several Illinois Valley Partnerships ("IVC") providing cellular service. (1)

VII. INTERCONNECTION RIGHTS OF PCS AND CMS PROVIDERS (STATE AND FEDERAL)

- The Notice of Proposed Rulemaking does not adequately define what it means by mobile service interconnection. IVC Partnerships interprets interconnection to mean mandatory switch sharing, equal access, and other forms of compelled interconnection. (2)

- Mandatory interconnection to CMS is not needed to make the cellular services market more competitive. The cellular services market is already competitive and will be getting even more competitive with the introduction of Enhanced Specialized Mobile Radio and PCS. (2-3)

- The potential burdens far outweigh the benefits of mandatory equal access. Long distance resale profits are critical in defraying operational costs. Equal access would be technically difficult and in some cases impossible. Equal access also raises a host of difficult regulatory issues. (3-4)

- Any consideration of the complex issue of cellular equal access should take place in the rulemaking proceeding initiated by MCI, which is not subject to the strict deadlines of the current proceeding. (4)